

REMARKS

Claims 1, 3-22, and 24-42 remain pending in the present application and stand rejected. Independent claims 1 and 22 have been amended. Claims 2 and 23 have been canceled. No claims have been added. Applicants respectfully submit that no new matter has been added to the application by the Amendment.

The Examiner has rejected the claims under 35 U.S.C. § 112, second paragraph, for multiple reasons. Applicants respectfully traverse the Section 112, second paragraph rejection.

According to the Examiner, the use of x in the claims as representing the number of locations, file names, and paths is indefinite inasmuch as x is not further defined or even limited. Applicants respectfully disagree. In particular, Applicants respectfully point out that x as employed in the claims is intended to be a specific number in any particular situation, albeit a varying number from situation to situation. Nevertheless, although x is not specifically defined as any particular number or range of numbers, Applicants respectfully submit that the claims do not require such a specific definition in order that such claims be understood in a definite form by one skilled in the art. That is, one skilled art would certainly understand that whatever x may be, x is consistent across the number of locations, paths, and file names as recited in the claims. Thus, x may be 2, 3, 4, 100, 1000, 1,000,000, or even more, and the claims should still be understood in a definite form by one skilled in the art. Accordingly, for the aforementioned reasons, Applicants respectfully decline to amend the claims in any way that would limit the value of x.

Also according to the Examiner, broadening terms such as ‘at least in part’ and ‘at least nearly’ give rise to indefiniteness. Applicants respectfully disagree here too. In particular, Applicants respectfully point out that such broadening terms are employed so as not to limit the claims to requiring exactly that which is recited. That is, and as an example, ‘at least nearly’ unique to the computing device in the claims requires that the defined items be unique to the computing device, but not so unique as to a guarantee that no other computing device can have the defined items, and Applicants respectfully submit that one skilled in the art would understand and accept such a term in a definite sense and in the manner in which it was intended. Similarly, based ‘at least in part’ on the obtained

information requires that an action takes place based on the obtained information, and perhaps also on other information in addition to the obtained information, and again Applicants respectfully submit that one skilled in the art would understand and accept such a term in a definite sense and in the manner in which it was intended. Accordingly, and again, for the aforementioned reasons, Applicants respectfully decline to amend the claims in any way that would reduce the scope of such broadening terms.

Thus, Applicants respectfully request reconsideration and withdrawal of the Section 112, second paragraph rejections.

The Examiner has rejected the claims of the application under 35 U.S.C. § 103 as being obvious over Johnson et al. (U.S. Pat. Pub. No. 20030163718) in view of Okado (U.S. Pat. No. 6,704,872). Applicants respectfully traverse the Section 1032 rejection insofar as it may be applied to the claims as amended.

Generally, in the claims of the present application, a state store such as that having sensitive data therein is stored on a computing device. Notably, inasmuch as the data in the state store can be valuable, such state store is stored on the computing device in an obfuscated form. Thus, as part of the effort to achieve such obfuscated form, such data store is broken into multiple parts and stored in multiple locations on the computing device. To increase such obfuscation, the name of each of the multiple locations, including the path and file name thereof, is itself obfuscated. Thus, each such path and file name is pseudo-randomly generated. Note, though, that to allow the pseudo-randomly generated paths and file names to be reproduced, such items are generated according to identification information relating to the computing device that cannot easily be changed, such as for example a hardware identification (HWID) of the computing device or a time at which an operating system of the computing device was installed. Moreover, in order to prevent the generated items from being reverse-engineered, such items are generated based on a one-way function that receives the identification information relating to the computing device.

More specifically, independent claim 1 as amended now recites that, to store a state store having state information therein on a computing device, information at least nearly unique to the computing device is obtained such that the obtained information is generally non-changing and consistently obtainable, and is selected from a group consisting of a hardware identification (HWID) generated for the computing device based on one or more

identifications of hardware of the computing device, and a specific time associated with the computing device. A number x of locations at which at least a portion of the state store is to be stored at is determined, and x pseudo-random file names and x corresponding paths are generated based at least in part on the obtained information by applying a one-way function to data including the obtained information and employing a resulting output of the function to define the file named and the paths.

Thus, the generated file names and corresponding paths are likewise at least nearly unique to the computing device. At any rate, the x generated file names and the x generated paths are paired to form the x locations, and the state store is stored according to the x generated locations.

Independent claim 22 as amended recites subject similar to that of claim 1 as amended, albeit in the form of a computer-readable medium.

As the Examiner notes, the Johnson reference discloses, primarily at paragraphs 0043-0046, that data may be stored by being dispersed to a number of locations on a computing device by randomly assigning actual addresses to virtual addresses. Thus, and significantly, the Johnson reference does not teach or even suggest the use of paths and file names as is required by claims 1 and 22. Moreover, the Johnson reference does not teach or suggest that the data is a state store that is to be obfuscated, as is also required by claims 1 and 22.

At any rate, although the Johnson reference does teach the use of a hash function to generate the actual address, the Johnson reference does not likewise teach or suggest that the input to the hash function is obtained information that is generally non-changing and consistently obtainable, and is selected from a group consisting of a hardware identification (HWID) generated for the computing device based on one or more identifications of hardware of the computing device, and a specific time associated with the computing device, as is required claims 1 and 22.

Nevertheless, the Examiner points to the Okada reference as disclosing obtaining information that is at least nearly unique to a computing device. Applicants respectfully point out that Okada is otherwise inapplicable to the claims of the present application. That said, Applicants respectfully point out that like the Johnson reference, the Okada reference also fails to teach or suggest that the input to the hash function is obtained information that is generally non-changing and consistently obtainable, and is selected from a group consisting

of a hardware identification (HWID) generated for the computing device based on one or more identifications of hardware of the computing device, and a specific time associated with the computing device, as is required claims 1 and 22.

Moreover, like the Johnson reference, the Okada reference also fails to teach or suggest the use of paths and file names as is required by claims 1 and 22. Applicants note that the Examiner points to such paths and file names as being at least nearly unique to a computing device. However, Applicants respectfully submit that many computing devices indeed share common paths and file names. As but one example, most every computing device that runs the MICROSOFT WINDOWS operating system has files named autoexec.bat, pagefile.sys, and config.sys among others in the root directory of the main drive. Similarly, most every such computing device has paths named c:\program files, c:\i386, and c:\documents and settings among others. Thus, Applicants respectfully submit that such paths and file names are not even close to being at least nearly unique, as the Examiner has asserted.

Thus, and for all of the aforementioned reasons, Applicants respectfully submit that the combination of the Johnson and Okada references clearly does not suggest the invention as recited in claims 1 and 22, or in any of the claims depending therefrom including claims 2-21 and 24-42. Accordingly, Applicants respectfully request reconsideration and withdrawal of the Section 103 rejection.

In view of the foregoing Amendment and Remarks, Applicant respectfully submit that the present application including claims 1, 3-22, and 24-42 is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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